

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

---

No. 01-1780

---

Ronaldo S. Ligonis,	*	
	*	
Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the District
	*	of Minnesota.
Mark Kroll, Lt.; David Crist, Warden,	*	
	*	[UNPUBLISHED]
Appellees.	*	

---

Submitted: January 4, 2002  
Filed: January 9, 2002

---

Before HANSEN, FAGG, and BEAM, Circuit Judges.

---

PER CURIAM.

Minnesota inmate Ronaldo Ligonis appeals from the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 action. As relevant to this appeal, Kroll alleged that prison officials destroyed or withheld books sent to him from outside sources, in violation of his First Amendment rights. The district court dismissed the case without prejudice because Ligonis had failed to exhaust his administrative remedies. Upon de novo review, see Larson v. City of Fergus Falls,

---

<sup>1</sup>The Honorable David S. Doty, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Jonathan Lebedoff, United States Magistrate Judge for the District of Minnesota.

229 F.3d 692, 696 (8th Cir. 2000), we agree with the court that Ligons did not show he had exhausted the remedies available to him. We also conclude that the district court did not abuse its discretion in implicitly denying Ligons leave to amend his complaint, because the amendment would not have cured the deficiency for which the complaint was dismissed.

Accordingly, we affirm and deny Ligons's pending motions on appeal. See 8th Cir. R. 47B. Ligons may refile his suit after he has exhausted the appropriate internal procedures available to him. See Lyon v. Vande Krol, 270 F.3d 563, 566 (8th Cir. 2001).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.